

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**Docket No. 823.0145USU

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled:

**A LINEAR INDEPENDENCE METHOD FOR NONINVASIVE ON-LINE SYSTEM IDENTIFICATION/SECONDARY PATH MODELING FOR FILTERED-X LMS-BASED ACTIVE NOISE CONTROL SYSTEMS**

the specification of which

(check one) XXX is attached hereto.

\_\_\_\_\_ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the examination of this application as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate(s) listed below and have also identified below any foreign application(s) for patent or inventor's certificate(s) having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	<u>Priority Claimed</u>
_____ (Number)	_____ (Country)
_____ (Number)	_____ (Country)
_____ (Number)	_____ (Country)

<u>(Day/Mon/Year Filed)</u>	<u>Yes</u>	<u>No</u>
_____ (Day/Mon/Year Filed)	_____ Yes	_____ No
_____ (Day/Mon/Year Filed)	_____ Yes	_____ No
_____ (Day/Mon/Year Filed)	_____ Yes	_____ No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which

occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/397,623</u>	<u>July 19, 2002</u>	
(Application Serial No.)	(Filing Date)	(Status - patent, pend., abandon.)
<u>                    </u>	<u>                    </u>	
(Application Serial No.)	(Filing Date)	(Status - patent, pend., abandon.)
<u>                    </u>	<u>                    </u>	
(Application Serial No.)	(Filing Date)	(Status - patent, pend., abandon.)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

NAMES	REGISTRATION NUMBERS
Paul D. Greeley	31,019
Charles N.J. Ruggiero	28,468

SEND CORRESPONDENCE TO:	DIRECT TELEPHONE CALLS TO:
Paul D. Greeley, Esq. Ohlandt, Greeley, Ruggiero & Perle, L.L.P. One Landmark Square, 10 <sup>th</sup> Floor Stamford, Connecticut 06901-2682	Paul D. Greeley, Esq. Telephone: (203) 327-4500 Telefax: (203) 327-6401

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF INVENTOR	LAST NAME Kim	FIRST NAME Benjamin	MIDDLE NAME Jung
RESIDENCE & CITIZENSHIP	CITY State College	STATE OR COUNTRY USA	CITIZENSHIP USA
POST OFFICE ADDRESS	P.O. ADDRESS 125 W. Park Ave., Rm 9	CITY & STATE State College, PA	ZIP CODE 16803

Inventor's signature

  
Benjamin Jung Kim

Date July 15, 2003